

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11

MERCON COFFEE CORPORATION, *et al.*,¹

Case No. 23-11945 (MEW)

Debtors.

Jointly Administered

Ref: Docket No. 3, 55, 189

ORDER GRANTING IN PART AND DENYING IN PART MOTION OF DEBTORS FOR ENTRY OF AN ORDER (I) WAIVING THE REQUIREMENT THAT EACH DEBTOR FILE A LIST OF CREDITORS AND AUTHORIZING THE DEBTORS TO FILE A CONSOLIDATED MASTER LIST OF CREDITORS, (II) AUTHORIZING DEBTORS TO FILE A CONSOLIDATED LIST OF THE DEBTORS' THIRTY LARGEST UNSECURED CREDITORS, (III) AUTHORIZING THE DEBTORS TO REDACT PERSONALLY IDENTIFIABLE INFORMATION; (IV) APPROVING FORM AND MANNER OF NOTIFYING CREDITORS OF COMMENCEMENT OF THESE CHAPTER 11 CASES, AND (V) GRANTING RELATED RELIEF

Upon consideration of the portion of the *Motion of the Debtors for Entry of an Order (I) Waiving the Requirement that Each Debtor File a List of Creditors and Authorizing the Debtors to File a Consolidated Master List of Creditors, (II) Authorizing Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Personally Identifiable Information, (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief*, dated December 7, 2023 [Doc. No. 3] (the “**Motion**”),² of the debtors and debtors-in-possession (the “**Debtors**”), seeking authority to redact personally identifiable information for certain individuals, as more fully described in the Motion; and upon the *Objection of the United States Trustee to Motion of the*

¹ The Debtors in these Chapter 11 Cases, along with the last four (4) digits of each Debtor's federal tax identification number, if applicable, are: Mercon Coffee Corporation (1844); Mercon B.V. (N/A); Mercon Brasil Comércio de Café Ltda. (N/A); Agro International Holding B.V. (N/A); Mercapital de Nicaragua, S.A. (N/A); Distribuidora de Granos de Nicaragua S.A. (N/A); Cisa Export S.A. (N/A); Comercial Internacional de Granos de Honduras, S.A. de C.V. (N/A); Mercon Guatemala, S.A. (N/A); Comercial Internacional Exportadora, S.A. (N/A). The Debtors' mailing address is: 999 Ponce de Leon Blvd, Suite 910, Coral Gables, FL 33134.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Debtors for Entry of an Order (I) Waiving the Requirement that Each Debtor File a List of Creditors and Authorizing the Debtors to File a Consolidated Master List of Creditors, (II) Authorizing Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Personally Identifiable Information, (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief [Doc. No. 189] (the “**Objection**”) [Doc. No. 189] of the United States Trustee for Region 2 (the “**U.S. Trustee**”), objecting to the Motion solely insofar as the Motion sought authorization for the Debtors to redact certain information; and upon the *Notice of Filing Amended Schedule to Declaration of Harve Light, Chief Restructuring Officer (I) In Support of the Chapter 11 Petitions and First Day Pleadings and (II) Pursuant to Local Bankruptcy Rule 1007-2* [Doc. No. 648] filed by the Debtors; and pursuant to Rule 9037 of the Fed. R. of Bankr. P. and Local Rule 9037-1 of the Local Bankruptcy Rules for the Southern District of New York; and the Court having been apprised that the Debtors have agreed that all information which had formerly been redacted will be unredacted, it is hereby **ORDERED** as follows:

1. The *Order (I) Waiving the Requirement that Each Debtor File a List of Creditors and Authorizing the Debtors to File a Consolidated Master List of Creditors, (II) Authorizing Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors (on an Interim Basis) to Redact Personally Identifiable Information, (IV) Approving Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (V) Granting Related Relief* [Doc. No. 55], concerning other forms of relief unrelated to the request to redact, remains in full force and effect except to the extent expressly modified by this Order.

2. The Debtors are authorized to redact from any paper filed or to be filed with the Court in the Chapter 11 Cases, including the Consolidated Creditor Matrix, the home address of any individual who is a Producer or Employee; *provided, however*, that the Debtors shall provide, on a confidential basis, an unredacted version of the Consolidated Mailing Matrix and any other paper redacted pursuant to this Order to the Court and any party in interest upon a request to the Debtors (email being sufficient) or to the Court that is reasonably related to the Chapter 11 Cases. Each party receiving an unredacted copy of the Consolidated Mailing Matrix or any other applicable document shall keep such redacted information confidential unless required to be disclosed by law or court order. The Claims Agent will serve as the conduit by which communications to individuals are transmitted.

3. The Debtors shall not redact from any paper filed or to be filed with the Court in the Chapter 11 Cases the name of any Producer, Employee, Senior Management, or UBO.

4. Any papers previously filed in the Chapter 11 Cases that contain unauthorized redacted information shall be filed by the Debtors in a form complying with the terms of this Order within 14 days of the entry of this Order.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: New York, New York
July 30, 2024

/s/ Michael E. Wiles
HONORABLE MICHAEL E. WILES
UNITED STATES BANKRUPTCY JUDGE